

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ANGELA M. STONESTREET,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 5:20-cv-01646

OPINION & ORDER
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Stonestreet seeks judicial review of the Social Security Administration Commissioner's final decision denying Plaintiff's application for disability insurance benefits and supplemental security income.¹

On October 6, 2021, Magistrate Judge Darrell A. Clay issued a Report and Recommendation ("R&R") recommending that the Court reverse the Commissioner's final decision denying Plaintiff Stonestreet's application and remand the case for further proceedings.² Defendant did not file objections to the R&R.

The Federal Magistrates Act requires district courts to conduct a *de novo* review of only objected-to portions of an R&R.³ Absent objection, district courts may adopt an R&R without review.⁴ Defendant did not object to the R&R, and this Court may adopt Magistrate Judge Clay's R&R without further review.

¹ Doc. [1](#). Plaintiff and Defendant filed merits briefs. Docs. [13](#); [15](#). Plaintiff filed a reply. Doc. [16](#).

² Doc. [17](#).

³ 28 U.S.C. § 636(b)(1).

⁴ *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the district court's order adopting the R&R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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Accordingly, the Court **ADOPTS** Magistrate Judge Clay's R&R, **REVERSES** the Commissioner's final decision, and **REMANDS** the case for further proceedings.

IT IS SO ORDERED.

Dated: January 14, 2022

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE